

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

|                               |   |                                     |
|-------------------------------|---|-------------------------------------|
| JERONE MCDOUGALD,             | : | Case No. 1:18-cv-498                |
| Plaintiff,                    | : |                                     |
|                               | : | Judge Timothy S. Black              |
| vs.                           | : |                                     |
|                               | : | Magistrate Judge Karen L. Litkovitz |
| SHANNON BEAR, <i>et al.</i> , | : |                                     |
| Defendants.                   | : |                                     |

**DECISION AND ENTRY  
ADOPTING THE REPORTS AND RECOMMENDATIONS  
OF THE UNITED STATES MAGISTRATE JUDGE (Docs. 3, 6)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and submitted a Report and Recommendation recommending that Plaintiff be Ordered to pay the full \$400.00 filing fee within 30 days, and a Supplemental Report and Recommendation recommending that Plaintiff's motion for leave to proceed *in forma pauperis* be denied. (Docs. 3, 6). Plaintiff objected to both Reports and Recommendations (Docs. 4, 7).<sup>1</sup>

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all

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<sup>1</sup> Plaintiffs' objections lack merit. Plaintiff does not set forth any evidence or authority to rebut the Magistrate Judge's proper conclusion that Plaintiff is prohibited by 28 U.S.C. § 1915(g) from proceeding *in forma pauperis* in this case because three of his prior complaints were dismissed for failure to state a claim upon which relief may be granted, and because he has not established particular facts showing that he is under imminent danger of serious physical injury.

of the filings in this matter. Upon consideration of the foregoing, the Court does determine that the Reports and Recommendations should be and are hereby adopted in their entirety. Accordingly:

1. The Reports and Recommendations (Docs. 3, 6) are **ADOPTED**;
2. Plaintiff's objections (Docs. 4, 7) are **OVERRULED**;
3. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 5) is **DENIED**;
4. Plaintiff is ordered to pay the full \$400.00 filing fee (\$350 filing fee plus \$50 administrative fee) required to commence this action within thirty (30) days. Failure to pay the full \$400.00 filing fee within thirty (30) days will result in the dismissal of this action; and
5. Pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith.

**IT IS SO ORDERED.**

Date: 2/27/19

s/ Timothy S. Black  
Timothy S. Black  
United States District Judge